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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

RUDOLPH ROTHWELL,

Plaintiff,

v.


MICHAEL J. ASTRUE,
Commissioner of Social Security,
Defendant.

Case No. 4:05-cv-00012-RRB

ORDER

The Court has considered plaintiff's counsel's motion for authorization to charge an attorney fee pursuant to 42 U.S.C. §406(b). The Court grants plaintiff's counsel's motion and authorizes an attorney fee of \$15,045 in accordance with 42 U.S.C. §406(b). Previously, this Court awarded \$4,111.87 pursuant to the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. When issuing the § 406(b) check, the Commissioner is directed to subtract the amount previously awarded under the EAJA, and to send to Plaintiff's attorney \$10,933.13. Any amount the Commissioner continues to withhold from past due benefits should then be released to Plaintiff.

Dated: 1/11/08


Hon. John W. Sedwick
United States District Judge

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